

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DALE WILLS, No. C 07-03354 CW (PR)
Petitioner, ORDER TO SHOW CAUSE
v.
JAMES TILTON,
Respondent.

Petitioner, a state prisoner, has filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. He has paid the \$5.00 filing fee. It does not appear from the face of the petition that it is without merit. Good cause appearing, the Court hereby issues the following orders:

1. The Clerk of the Court shall serve a copy of this Order and the petition and all attachments thereto upon Respondent and Respondent's attorney, the Attorney General of the State of California. The Clerk shall also serve a copy of this Order on Petitioner at his current address.

2. Respondent shall file with this Court and serve upon Petitioner, within sixty (60) days of the issuance of this Order, an Answer conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases, showing cause why a writ of habeas corpus should not be issued. Respondent shall file with the Answer a copy of all portions of the relevant state records that have been transcribed previously and that are relevant to a determination of the issues presented by the petition.

3. If Petitioner wishes to respond to the Answer, he shall do so by filing a Traverse with the Court and serving it on

Respondent within thirty (30) days of his receipt of the Answer.
Should Petitioner fail to do so, the petition will be deemed
submitted and ready for decision thirty (30) days after the date
Petitioner is served with Respondent's Answer.

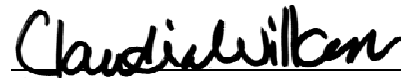
4. Respondent may file a motion to dismiss on procedural
grounds in lieu of an Answer, as set forth in the Advisory
Committee Notes to Rule 4 of the Rules Governing Section 2254
Cases. If Respondent files such a motion, Petitioner shall file
with the Court and serve on Respondent an opposition or statement
of non-opposition to the motion within thirty (30) days of receipt
of the motion, and Respondent shall file with the Court and serve
on Petitioner a reply within fifteen (15) days of receipt of any
opposition.

5. It is Petitioner's responsibility to prosecute this case.
Petitioner must keep the Court and Respondent informed of any
change of address and must comply with the Court's orders in a
timely fashion. Petitioner must also serve on Respondent's counsel
all communications with the Court by mailing a true copy of the
document to Respondent's counsel.

6. Extensions of time are not favored, though reasonable
extensions will be granted. Any motion for an extension of time
must be filed no later than ten (10) days prior to the deadline
sought to be extended.

IT IS SO ORDERED.

Dated: 9/6/07



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DALE WILLS,

Plaintiff,

v.

JAMES TILTON et al,

Defendant.

Case Number: CV07-03354 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 6, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Dale G. Wills J-16405
Corcoran State Prison
P.O. Box 5246
Corcoran, CA 93212-5246

Attorney General
State of California
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102

Warden
Corcoran State Prison
4001 King Avenue
P.O. Box 8800
Corcoran, CA 93212-8309

Dated: September 6, 2007

Richard W. Wieking, Clerk

By: Sheilah Cahill, Deputy Clerk